

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

LUGENE HUDSON,

Plaintiff,

v.

WASCO STATE PRISON,

Defendant.

Case No. 1:20-cv-00876-JLT (PC)

**ORDER TO SHOW CAUSE**

(Docs. 2, 4, 9)

21-DAY DEADLINE

Plaintiff Lugene Hudson commenced this action by a letter dated April 8, 2020 and mailed to the Clerk's Office of the United States District Court for the Northern District of California, San Francisco. (Doc. 1). Upon receipt of the letter on April 22, 2020, the Clerk sent Plaintiff a blank civil rights complaint form and advised: "If you do not submit a completed complaint or petition on the proper form . . . within 28 DAYS from the filing date stamped above, your action will be DISMISSED and the file closed." (Doc. 2). The Clerk also sent a blank application and declaration to proceed *in forma pauperis* ("IFP"), warning, "If you do not respond within 28 DAYS from the filing date stamped above, your action will be DISMISSED, the file closed and the fee will become due immediately." (Doc. 4). Plaintiff failed to file a complaint or IFP application as directed by the Court.

On June 24, 2020, the Northern District of California transferred the action to this Court. On the same day, this Court entered a First Informational Order that included a Consent/Decline

1 of U.S. Magistrate Judge Jurisdiction form. (Doc. 8, 8-1.) The form directs the parties to complete  
2 and return the form to the Court within thirty days. (Doc. 8-1 at 3.) After Plaintiff failed to return  
3 the consent form as directed, on August 10, 2020, this Court sent to Plaintiff a second consent  
4 form. (Doc. 9.) Plaintiff again failed to comply and has taken no action in this case in over six  
5 months.

6 Therefore, the Court orders Plaintiff to show cause, in writing and within **21 days** from  
7 the date of service of this order, why this case should not be dismissed for lack of prosecution,  
8 failure to file a civil rights complaint, failure to submit a magistrate judge jurisdiction form, and  
9 failure to submit an application to proceed *in forma pauperis* or pay the filing fee for this action.

10 **Failure to comply with this order will result in a recommendation for the dismissal of this**  
11 **case.**

12 The Court directs the Clerk of Court to mail to Plaintiff a Civil Rights Complaint form  
13 and an Application to Proceed *in forma pauperis*.

14  
15 IT IS SO ORDERED.

16 Dated: April 1, 2021

/s/ Jennifer L. Thurston  
CHIEF UNITED STATES MAGISTRATE JUDGE